

United States District Court  
EASTERN DISTRICT OF NORTH CAROLINA

PHILLIP JAMES McCORMICK,

Plaintiff,

V.

INTERKORDSA GmbH, German Corporation,  
DUPONT-SABANCI INTERNATIONAL, L.L.C.,  
and KORDSA INCORPORATED,  
Defendants.

V.

ZENITH INSURANCE COMPANY,  
Respondent.

**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 7:05-CV-31-F**

### Decision by Court.

IT IS ORDERED AND ADJUDGED that DUSA's Motion for Judgment on the Pleadings, or in the Alternative, Second Motion for Summary Judgment, which relates to Plaintiff's negligence claims in the Amended Complaint, is ALLOWED as a motion for judgment on the pleadings. DUSA's first Motion for Summary Judgment is DENIED IN PART AS MOOT as it relates to the negligence claims of the Original Complaint, and ALLOWED IN PART as it relates to Plaintiff's warranty claims against DUSA and KordSA. Accordingly, all of Plaintiff's claims against DUSA and its successor KordSA are DISMISSED. DUSA's Motions to Strike, and Motion for In Camera Inspection are DENIED AS MOOT. Zenith's Motion to Withdraw is ALLOWED, and Zenith is DISMISSED from this action. All other defendants having been previously dismissed from this action, the Clerk is DIRECTED to close this case.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **August 10, 2009**, AND A COPY MAILED VIA ELECTRONICALLY OR BY REGULAR MAIL TO:

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August 10, 2009  
Date

*Wilmington, North Carolina*

DENNIS P. IAVARONE  
Clerk of Court

/s/ Susan K. Edwards  
*(By) Deputy Clerkj*